



New Jersey Department of Children and Families Policy Manual

Manual:	CP&P	Child Protection and Permanency	Effective Date: 10-11-2011
Volume:	VII	Education and Educational Stability	
Chapter:	A	Education and Educational Stability	
Subchapter:	1	Education and Educational Stability	
Issuance:	500	Attendance at School Free of Charge	

By law a school district may question a child's enrollment on a free basis and may require an affidavit from the person with whom the child is residing stating that he/she is:

- a) domiciled in the district;
- b) supporting the child gratis;
- c) will assume all personal obligations for the child relative to school requirements; and,
- d) intends to keep and support the child gratuitously for a longer time than the school year.

N.J.S.A. 18A:38-1 also stipulates that if the person with whom the child resides is a tenant, he/she must also submit with the affidavit a copy of the lease or a sworn statement from the landlord, acknowledging that the person resides at the address stated. In addition, the parent or guardian of the child must file an affidavit with the board secretary stating their inability to support or care for the child because of economic or family hardship.

N.J.S.A. 18A:38-(e) states that any person for whom the Division acts as guardian, who is placed in a school district by the Division, is eligible for a free education. See [CP&P-VII-A-1-100](#), Educational Stability, and CP&P Form [5-72](#), Educational Stability School District Notification. This form is prepared for all children entering resource home placement under CP&P supervision. It informs the school Principal, as well as key staff from all relevant school districts, of the child's educational placement. By completing the CP&P Form [5-72](#), the Division confirms that the child legitimately resides in an approved home and is, therefore, eligible for a free education. The form states that the child was placed by CP&P, and provides the child's legal status and the caregiver's name and address.

The form complies with Federal legislation, the Fostering Connections to Success and Increasing Adoptions Act of 2008 (FCSIAA), and N.J.S.A. 30:4C-26b, enacted in 2010 to ensure that any child placed in a resource family home by CP&P will have continuity in his or her education. In accordance with this legislation, CP&P completes an educational stability assessment with the school districts involved to determine the best school placement for the child.

School staff may contact the child's Worker or Educational Liaison noted on the form regarding any questions on educational stability and the child's school placement in the district. The CP&P Form [5-72](#) and its instructions are located in the on-line Forms Manual (1-10).

The CP&P Form [5-49](#), Resource Family Parent Identification Letter, which is notarized and signed by the Local Office Manager and given to the resource parent at the time of placement, may also be used to confirm a child's placement. Complete this form in the NJ SPIRIT application, by accessing it through the NJ SPIRIT Desktop > Create > Case Work > Placement Window.